

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NORTH CAROLINA
EASTERN DIVISION

CIVIL ACTION NUMBER 4:03-CV-160-FL(3)

JOE MILLER THORNTON AND
ANNABELLE THORNTON;

Plaintiffs,

vs.

AQUA-CHEM (d/b/a Cleaver Brooks);
BAYER CROPSCIENCE INC., (f/k/a Aventis CropScience USA Inc.,
f/k/a Rhone-Poulenc Ag Company Inc., a/k/a AmchemProducts, Inc.);
BONDEX INTERNATIONAL, INC.;
CROWN CORK AND SEAL COMPANY, INC. (successor to
Mundet Cork Corporation);
DANA CORPORATION;
DANIEL INTERNATIONAL CORPORATION;
D.B. RILEY, INC. (Individually and as successor to
Riley Stoker Corporation);
GENERAL REFRactories COMPANY;
GUARD-LINE, INC.;
H. B. FULLER COMPANY (Individually and as Successor-in-
interest to Benjamin Foster Division (formerly Benjamin Foster
Company) of Amchem Products Inc. (Parker Amchem, Inc.) and
renamed the Foster Products Division;
INDUSTRIAL HOLDINGS CORPORATION;
JOHN CRANE, INC.;
KELLY-MOORE PAINT COMPANY, INC.;
3M COMPANY (f/k/a Minnesota Mining and Manufacturing Co.);
REPUBLIC POWDERED METALS, INC.;
UNION CARBIDE CORPORATION;

Defendants.



CIVIL ACTION COMPLAINT

Plaintiff hereby adopts and incorporates Plaintiff's Master Long-Form Complaint in RE:
Asbestos Litigation in the United States District Court for the Eastern District of Pennsylvania filed as of
Miscellaneous No. 86-0457. Pursuant to the August 20, 1996 Order of the Honorable Charles R. Weiner,
the following short-form Complaint is utilized in this asbestos action:

1. The Plaintiffs are:

a. Plaintiff ("plaintiff")

Name: Joe Miller Thornton
Address: 90 Spring Street
Charleston, South Carolina 29403
Social Security No.: 412-10-7221
D.O.B.: 06/30/1923

b. Spouse

Name: Annabelle Thornton
Address: Same

Social Security No.:
D.O.B.:

2. The Court has jurisdiction of this matter by way of diversity of citizenship inasmuch as plaintiff and defendants are not residents or have principle place of business in the same state. These defendants however all do or have done business in the State of North Carolina. Moreover, the amount in controversy, exclusive of interest and costs, exceeds \$75,000.00.

3. The defendants are those companies listed in the caption.

4. Plaintiff hereby incorporates by reference the following Counts from the Master Long-Form Complaint: Counts I, II, III, IV and X.

5. Plaintiff's asbestos exposure history including, to the extent possible at this time, the asbestos products to which plaintiff was exposed is attached hereto as Schedule I.

6. Plaintiff was diagnosed with an asbestos-related disease within the applicable statutes of limitation as a result of his exposure to asbestos.

7. A claim for lost wages of plaintiff is: to be determined, if any.

8. Plaintiff certifies that he has not been a party to any related third-party asbestos litigation.

This the 24th day of October, 2003.

JONES MARTIN PARRIS & TESSENER
LAW OFFICES, P.L.L.C.



E. Spencer Parris
N.C. State Bar No.: 011042
H. Forest Horne, Jr.
N.C. State Bar No.: 016678
J. Michael Riley
N.C. State Bar No.: 018396
410 Glenwood Ave., Suite 200
Raleigh, North Carolina 27603

CO-COUNSEL

David Butler, Esquire
Richardson, Patrick, Westbrook & Brickman, LLC
PO Box 1368
1750 Jackson Street, 2nd Floor
Barnwell, South Carolina 29812
803-259-9900

JURY DEMAND

Plaintiff demands that all issues of fact in this case be tried before a properly impanelled jury.

SCHEDULE I

Worker History
Asbestos Exposure Information

EXPOSURE SITE	APPROXIMATE DATES
Various Job Sites Including Charleston Naval Shipyard	1940's -1970's

RELATED ASBESTOS LITIGATION - none

SMOKING HISTORY: Approximately ½ ppd from 1948 - 1969

PRODUCTS CONTAINING ASBESTOS:

Aqua-Chem - boilers

Bayer CropScience (Amchem) - Lagtone insulation coating, foamseal sealant, CI and HI mastic

Bondex - Joint Cements and Compounds

Crown Cork & Seal - Mundet cement

Dana - S&K Aircell

D.B. Riley, Inc. - boilers

General Refractories Company - Grefco Insulating Cement

Guard-line, Inc. - Gloves

H.B. Fuller - Benjamin Foster Mastics

Industrial Holdings Corporation (Carborundum) - Grinding Wheels

John Crane, Inc. - Packing

Kelly Moore Paint - Joint Compound

Minnesota Mining and Manufacturing Company - Masks

Republic Powdered Metals - Joint Cements and Compounds

Union Carbide - Bakelite, Calidria, asbestos fibre

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

DEFENDANT LIST

Aqua-Chem (d/b/a/ Cleaver Brooks)
7800 N. 113 St.
Milwaukee, WI 53244-3136

Bayer Cropscience Inc., (f/k/a Aventis CropScience USA Inc., f/k/a Rhone-Poulenc Ag Company Inc.,
a/k/a Amchem Products, Inc.)
By and Through Its Registered Agent for Service
CT Corporation System
111 Eighth Avenue
New York, New York 10011

Bondex International, Inc.
By and Through Its Registered Agent
The Prentice Hall Corp System
50 West Broad Street
Columbus, Ohio 43215

Crown Cork & Seal
PO Box 63290
Philadelphia, Pennsylvania 19114

Dana Corporation
By and Through Its Registered Agent
CT Corporation System
225 Hillsborough Street
Raleigh, North Carolina

Daniel International Corporation
By and Through its Registered Agent
National Registered Agents, Inc.
2 Office Park W., Ste. 103
Columbia, SC 29223

D.B. Riley, Inc.
By and Through its Registered Agent
C.T. System Corporation
225 Hillsborough Street
Raleigh, NC 27603

General Refractories Company
C/O Barry Katz, President and General Counsel
225 City Line Avenue
Bala Cynwyd, PA 19004

Guard-Line, Inc.
C/O H. Lee Stanley
215 South Louise Street
Atlanta, Texas 75551

H.B. Fuller Company
By and Through Its Registered Agent
C.T. Corporation System
225 Hillsborough Street
Raleigh, NC 27603

Industrial Holdings Corporation
By and Through Their National Counsel
C/O Thomas W. Tardy, III
Forman Perry Watkins Krutz & Tardy PLLC
1200 One Jackson Place
188 East Capital Street
Jackson, Mississippi 39225-2608

John Crane, Inc.
By and Through Its Registered Agent
C.T. Corporation System
225 Hillsborough Street
Raleigh, NC 27603

Kelly-Moore Paint Company, Inc.
C/O Patrick T. McDonald
987 Commercial Street
San Carlos, California 94070

3 M Company (f/k/a Minnesota Mining and Manufacturing Company)
By and Through Its Registered Agent
C.T. Corporation System
225 Hillsborough Street
Raleigh, NC 27603

Republic Powdered Metals, Inc.
By and Through Its Registered Agent
The Prentice Hall Corp System
50 West Broad Street
Columbus, Ohio 43215

Union Carbide
By and Through Its Registered Agent
C.T. Corporation System
225 Hillsborough Street
Raleigh, NC 27603